UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: TERRY S. WOGINRICH and : CHAPTER 13

ANN J. WOGINRICH

Debtor(s)

:

JACK N. ZAHAROPOULOS

STANDING CHAPTER 13 TRUSTEE

Movant

.

VS.

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TERRY S. WOGINRICH and

ANN J. WOGINRICH

Respondent(s) : CASE NO. 5-21-bk-01137

TRUSTEE'S OBJECTION TO AMENDED CHAPTER 13 PLAN

AND NOW, this 28th day of June, 2021, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

- 1. Debtor(s)' plan violates 11 U.S.C. Sec. 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7. More specifically, debtor's have excess non-exempt equity in the following:
 - a. Residential real estate CMA
 - b. Jointly held property to the extent of joint claims.
 - 2. The Trustee avers that debtor(s)' plan is not feasible based upon the following:
 - a. Plan ambiguous The plan fails to specially classify joint claims to be paid from jointly held property from individual claims that will be paid from individually held assets.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Jack N. Zaharopoulos Standing Chapter 13 Trustee 8125 Adams Drive, Suite A Hummelstown, PA 17036

CERTIFICATE OF SERVICE

AND NOW, this 12th day of July, 2021, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Patrick Best, Esquire 18 N. 8th Street Stroudsburg, PA 18360

/s/Deborah A. Behney
Office of Jack N. Zaharopoulos
Standing Chapter 13 Trustee